

# Product Liability

**In an age of global trade, product liability presents unique challenges, demanding innovative solutions from a multi-disciplinary team.**

DWF's product liability team draws on expertise from leading lawyers in each field.

We have a deep understanding of the needs of producers, distributors and retailers - from multinationals to micro businesses - and we can efficiently resolve product liability disputes. We receive repeat instructions directly from UK and global insurers and corporates.

With a clear insight into the issues that producers face in a range of market sectors, including automotive, chemical, construction, electrical, food, medical device, pharmaceutical and retail, we draw on insurance, regulatory and corporate lawyers to provide a full service offering and we look ahead in each sector to advise on emerging risks.

Our award winning dwf crisis response offers 24/7 access to product liability experts in the event of a civil or regulatory emergency, along with media specialists to manage PR, and counsellors to support traumatised employees. We also offer bespoke training in a range of product liability topics to help you at every step.

## How we can help you

- Effective resolution of civil claims for injury, property damage and economic loss; from pragmatic and cost-effective settlement to confident and robust defence.
- Insurance policy coverage advice, including Bacardi admixing, AstraZeneca liability trigger, damage v economic loss, and the interplay between product liability, product recall and financial loss extension cover.

- Pursuit of recoveries along the supply chain, domestically and across borders, to recoup insured and uninsured losses. Our expertise includes advice on incorporation of terms and conditions in supply contracts, exclusion/limitation of liability clauses and alternative dispute resolution.
- Product recall advice, including swift and comprehensive crisis management assistance, protection of brand and reputation, mitigation of loss, and handling of dialogue with the regulator.
- Regulatory compliance on issues such as labelling, advertising, import/export, licensing and product launch, with expertise in novel and complex products, judicial review of regulatory decisions, and defence of prosecutions.
- Group litigation/class action expertise, including assessment of the merits and value of the cohort of claims, and experienced handling from the preliminary stages through to substantive test case trials.

## Our recent work in particular sectors includes:

### Life sciences

- Advising in relation to claims against the lead defendant in the PIP Breast Implant Group Litigation.
- Conducting cross-jurisdictional litigation in relation to the supply of pharmaceutical products from India.

### Food

- Defending psychiatric injury claims involving pork DNA contamination of Halal products.
- Advising on withdrawal of potentially contaminated soft drinks and snacks sold in numerous countries.

### Automobile

- Advising in relation to incidents in England and France involving fatalities and serious injuries arising out of coach and fleet vehicle accidents.
- Defending multiple fire claims relating to lorry engine components.

### Chemical

- Acting for insurers in coverage disputes arising from property damage and injury claims in respect of polychlorinated biphenyl inclusion in various products in the US.
- Advising in relation to a flame-retardant product used in the aviation industry.

### Electrical

- Defending contractors in respect of multiple fires arising from miniature circuit-breakers that were the subject of a product recall.
- Advising in respect of a fatality and fire damage arising from a tumble dryer defect.

### Construction

- Acting for a quarry company in relation to allegedly contaminated aggregate used on public roads.

## Independent Chambers & Partners and Legal 500 rankings

"Deep understanding of complex product liability issues."

"Knowledgeable, skilful, innovative and above all else reassuring and confident."

"Considerable experience defending large-scale group litigation."

"A focused technical lawyer and a pleasure to do business with."

"Operations are slick, and are bespoke to client needs."

"Highly client and resolution-focused."

"They successfully and skilfully handled a challenge which had the potential to seriously undermine our business."

## Effective dispute resolution domestically and internationally

- 12 offices within the UK and Ireland, ensuring national coverage, local knowledge and flexible claims handling solutions.
- Teams experienced in cost-effective handling of volume fast track product liability claims, and lawyers highly regarded in the market for handling complex, high value, multi-jurisdictional matters.
- Multi-lingual lawyers, and dual qualifications in jurisdictions including the US, Europe and Africa.
- There are over 3,000 people across the DWF Group, based in 27 key locations across the UK and Internationally. With offices in Brussels, Dublin, Cologne, Munich, Berlin, Paris, Milan, Dubai, Qatar, Brisbane, Melbourne, Sydney, Newcastle (NSW), Singapore, Toronto and Chicago, we have a tried and tested network of product liability lawyers and experts around the world, developed through extensive international work.
- Well honed expertise of jurisdiction and choice of law issues, and practical knowledge of conducting international litigation, developed from many years of experience.



## Some of our experts



**John Groome**  
Partner, Insurance - London  
T +44 (0)207 280 8832  
M +44 (0)779 565 0252  
E john.groome@dwf.law



**David Kidman**  
Partner, Insurance - London  
T +44 (0)207 645 4314  
M +44 (0)759 543 3967  
E david.kidman@dwf.law



**Kieran Walshe**  
Partner, Insurance - London  
T +44 (0)161 603 5044  
M +44 (0)774 811 6595  
E kieran.walshe@dwf.law



**Chris Lagar**  
Partner, Insurance - Manchester  
T +44 (0)161 603 5053  
M +44 (0)774 811 6594  
E chris.lagar@dwf.law



**Peter Barnes**  
Partner  
T +44 117 428 9516  
M +44 7974 407106  
E peter.barne@dwf.law



**Derek Adamson**  
Partner, Insurance - Birmingham  
T +44 (0)121 200 0437  
M +44 (0)782 481 4631  
E derek.adamson@dwf.law



**Hilary Ross**  
Partner, Corporate - London  
T +44 (0)3333 20 3210  
M +44 (0)771 289 9715  
E hilary.ross@dwf.law



**Dominic Watkins**  
Partner, Corporate - London  
T +44 (0)207 645 9591  
M +44 (0)773 450 8634  
E dominic.watkins@dwf.law